

Remarks

In view of the above amendments and following remarks, reconsideration of the objections and rejections, and further examination are requested.

Claims 1-14 were pending in this application and claims 1-3, 5-9, and 11-14 stand rejected. Claims 4 and 10 are indicated as containing allowable subject matter. Claims 1 and 7 are amended herein, claims 2-6 and 8-14 are canceled herein without prejudice or disclaimer to the subject matter contained therein, and claim 15 is added herein. No new matter has been added.

The Applicants greatly appreciate the Examiner's indication that claim 4 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. § 101 and to include all of the limitations of the base claim and any intervening claims. As detailed in the Office Action, claims 1-6 have been rejected under 35 U.S.C. § 101 as being directed towards non-statutory subject matter. Claim 1 has been amended to include patentable subject matter by reciting a "computing device comprising a processor, wherein the computing device is operable as a scheduling apparatus for performing parallel processing of a plurality of processes respectively having assigned priorities..." Support for this amendment can be found in the substitute specification in paragraphs 0016-0018.

Accordingly, the Applicants respectfully request that the 35 U.S.C. § 101 rejection of claim 1 be withdrawn.

The specification and abstract have been carefully reviewed and revised to make grammatical and idiomatic improvements in order to aid the Examiner in further consideration of the application. A substitute specification and abstract including the revisions have been prepared and are submitted herewith. No new matter has been added. Also submitted herewith are marked-up copies of the substitute specification and abstract indicating the changes incorporated therein.

The title of the invention has been amended to include the correct spelling of "APPARATUS."

The Abstract has been objected to by the Examiner. Specifically, the Examiner asserted that the last sentence is incomplete and needs to end with a period. The Abstract has been amended to address the Examiner's concern.

Accordingly, the Applicants respectfully request that the objection to the Abstract be withdrawn.

The drawings have been objected to by the Examiner. Specifically, the Examiner asserted that the drawings contain spelling errors, and noted that in Figures 4, 7 and 8 “DELAYTED TASK HANDLING PROCESS EXECUTION” should be amended to “DELAYED TASK HANDLING PROCESS EXECUTION.”

Figures 4, 7 and 8 have been amended as suggested by the Examiner. New replacement formal drawings for Figures 4, 7 and 8 have been prepared and are submitted herewith, and include the changes detailed above.

Claims 1-3, 5-9 and 11-14 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Kling et al. (U.S. Patent No. 6,662,203) (hereinafter referred to as “Kling”) in view of Takeuchi et al. (U.S. Patent No. 5,944,778) (hereinafter referred to as “Takeuchi”).

Claim 1 has been amended to include the subject matter of previously pending claims 2-4. Moreover, claim 7 has been amended to include the subject matter of previously pending claims 8-10. Furthermore, new claim 15 has been drafted to recite a computer program recorded on a computer-readable storage medium and to include the subject matter of original claim 1 and previously pending claims 2-4. Consequently, claims 1, 7 and 15 each contain subject matter indicated as allowable in the Office Action. Thus, the Applicants respectfully submit that the 35 U.S.C. §103(a) rejections are moot.


Accordingly, for at least the reasons set forth above, the Applicants respectfully request that the 35 U.S.C. §103(a) rejections be withdrawn.

In view of the foregoing amendments and remarks, all of the claims in this application are believed to be in condition for allowance. Reconsideration and favorable action are respectfully solicited.

Should the Examiner believe that there are any remaining issues which must be resolved before this application can be passed to issue, it is respectfully requested that the Examiner contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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